

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 1565 - HB 1975

March 30, 2009

SUMMARY OF BILL: Deletes the organizations authorized to make nominations for members of the Judicial Selection Commission. Decreases from 17 to 15 the membership of the Commission, comprised of five members from each grand division with five members of the total being non-lawyers. Reduces from six to four years the length of a term for members of the Commission, and deletes staggered terms. No member shall serve more than one term. Requires the Commission to hold open meetings when certifying all candidates, rather than three, for judicial vacancies and requires the Commission to rate such nominees before sending the names to the Governor. Requires Senate confirmation of the Governor's nominee to fill a vacancy for any state court judge. Increases from a simple majority to a 60 percent majority the vote that a judge must receive in a retention election. Decreases from 12 to six members the membership of the Judicial Evaluation Commission, and decreases potential length of service from two to one allowable term.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures – \$11,900

A more precise cost estimate is not possible because the Administrative Office of the Courts has not provided any information to assist in the preparation of this fiscal note.

Assumptions:

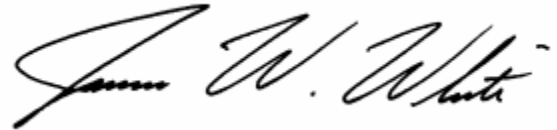
- Meetings that are currently private will be made open to the public. Requiring public notice of such meetings will result in a not significant increase in state expenditures.
- Requiring the list of all candidates, rather than three, to be rated before sending the list to the Governor will not have a fiscal impact on the judicial system. Requiring Senate confirmation of the Governor's nominee to fill a vacancy will not have a significant fiscal impact.
- Based on the total expenditures of the Commission since FY05-06, the average expense per member is \$1,482. The decrease in state

SB 1565 - HB 1975

expenditures with eight fewer members is estimated to be \$11,856 (\$1,482 x 8).

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc